

CRIMINAL CAUSE FOR MOTION HEARING

BEFORE JUDGE: HURLEY, J.

DATE: MARCH 25, 2011

TIME: 11:15 - 11:45 AM

DOCKET NUMBER: CR-10-0674

USA V. FAISON

FOR DEFENDANT: TIMOTHY FAISON DEFT. 1

DEFT PRESENT AND IN CUSTODY

ATTY FOR DEFT.: LEONARD LATO - ADVISORY CJA COUNSEL

X PRESENT, NOT PRESENT

A.U.S.A.: LARA TRIENIS GATZ

DEPUTY CLERK: TRISHA BEST

COURT REPORTER(S) OR ESR OPERATOR: OWEN WICKER

PROBATION:

INTERPRETER:

CASE CALLED FOR HEARING ON DEFENDANT'S PROSE MOTION TO DISMISS THE INDICTMENT AND THE UNDERLYING COMPLAINT (DOC # 14).

FOR THE REASONS STATED ON THE RECORD, THE COURT FINDS THAT DEFENDANT WAS NOT PLACED IN JEOPARDY IN THE STATE COURT ACTION, AND THEREFORE DOUBLE JEOPARDY IN THE FEDERAL ACTION CANNOT OCCUR.

THE MOTION IS DISMISSED.

JURY SELECTION AND TRIAL SET FOR APRIL 18, 2011 AT 9:30 AM. DEFENDANT DOES NOT CONSENT TO THE MAGISTRATE SELECTING THE JURY. RULE 16 DISCOVERY TO BE PROVIDED AGAIN TO THE DEFENDANT. THE DEFENDANT DOES NOT WAIVE SPEEDY TRIAL FROM TODAY TO APRIL 18, 2011.